IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

907 WRIT PETITION NO. 2338 OF 1999

HEERALAL MOTILAL DESARDA
VERSUS
CITY & IND.DEV.CORPN.OF MAHA.LTD.AURANGABAD

Petitioner in person – absent.

Shri. A.S. Bajaj, Advocate, for respondent Nos.1 to 3.

Shri. Y.G. Gujarathi, Assistant Government Pleader, for respondent No.4.

Coram: T.V. NALAWADE &
SUNIL K. KOTWAL, JJ.

Date: 19 APRIL 2018

ORDER:

1) Today, learned counsel for CIDCO has produced on record some conditions which are already there for making allotment of open space for construction purpose available with CIDCO. He submits that at present there is hardly any space which can be allotted and he submits that some space like 3 acres portion may be available due to recent decision given by this Court.

2) Learned counsel for CIDCO further submits that, development costs need to be recovered by CIDCO and so some space is given for commercial / shopping complex purpose. This Court expresses that the institutions like respondent-CIDCO need not provide space for commercial establishments when poor persons are in dire need of the space for residential purpose. The view of collecting money for development or profiteering view in such case is not expected. Short affidavit needs to be filed to express the intention of CIDCO as to what it wants to do with the remaining space as the reliefs are in that regard. Stand over to 7 June 2018.

Sd/- Sd/-
(SUNIL K. KOTWAL, J.) **(T.V. NALAWADE, J.)**

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